

Report Date: May 9, 2008

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 12 2008

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Rafael Rojas

Case Number: 2:03CR02200-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 12/19/2007

Type of Supervision: Probation

Original Offense: Misprision of a Felony, 18 U.S.C. § 4
Date Supervision Commenced: 12/19/2007

Original Sentence: Probation - 12 Months

Date Supervision Expires: 12/18/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, saliva and/or sweat patch testing, as directed by the probation officer. The defendant shall abstain from using illicit drugs, alcohol, and abusing prescription medications during the period of supervision.

The defendant, as a condition of supervision, shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed six tests per month, as directed by the probation officer, pursuant to 18 USC § 3563(a)(5).

CAUSE

On December 19, 2007, Mr. Rojas commenced his 1 year term of probation in the Central District of California. During an office interview with his assigned supervision officer, the defendant openly admitted to using cocaine, marijuana, alcohol, and methamphetamine, prior to his arrest on the instant offense. Based on the defendant's history of substance abuse, his supervising probation officer is requesting a modification of his conditions of probation as noted above. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of probation.

Prob 12B

Re: Rojas, Rafael

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

5/9/08

Sara Vargas

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

L. Nishan

Signature of Judicial Officer

May 12 2008

Date

United States District CourtEasternDistrictWashington**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Raphael Rojas shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, saliva and/or sweat patch testing, as directed by the Probation Officer. The defendant shall abstain from using illicit drugs, alcohol, and abusing prescription medications during the period of supervision;

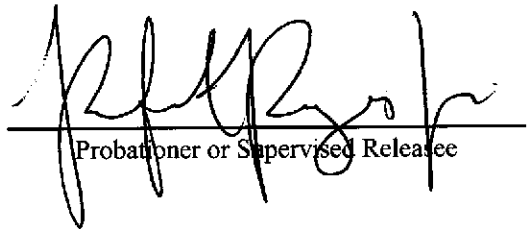
Raphael Rojas, as a condition of supervision, shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed six tests per month, as directed by the probation officer, pursuant to 18 USC 3563(a)(5).

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

4-29-08

Date